

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR CONFIDENTIAL TREATMENT OF)
THE REVENUE IMPACT FILED WITH THE)
PROPOSED PROMOTION OF BELL SOUTH)
TELECOMMUNICATIONS, INC., FOR BUSINESS)
CUSTOMERS PROMOTING CUSTOM CALLING)
SERVICES, TOUCHSTAR® SERVICES, AND)
RINGMASTER® SERVICES FILED WITH THE)
COMMISSION ON JULY 18, 1996)

CASE NO. 96-348

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed July 22, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of market information filed in support of its proposed promotion of Custom Calling Services, TouchStar® Services and Ringmaster® Services for business customers on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth is planning a promotion for its Customer Calling Services, TouchStar® Services and Ringmaster® Services. In support of the promotion, BellSouth has filed information which shows the revenue impact of the services using assumptions and analyses unique to BellSouth which it seeks to protect as confidential.

The information sought to be protected is not known outside of BellSouth and is not disseminated within BellSouth except to those employees who have a legitimate business need to know and act upon the information. BellSouth seeks to preserve and

protect the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

BellSouth faces competition from other telecommunications companies, such as AT&T, who are seeking to enter the local exchange market. Disclosure of the market information contained in the data sought to be protected, would assist such competitors in formulating business strategies for entering into the market. Therefore, disclosure of the information is likely to cause BellSouth competitive injury and the information should be protected as confidential.


This Commission being otherwise sufficiently advised,

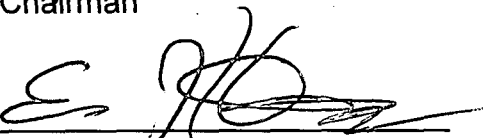
IT IS ORDERED that the market information filed in support of BellSouth's proposed promotion of Custom Calling Services, TouchStar® Services and RingMaster® Services, which BellSouth has petitioned to be withheld from public disclosure, shall be

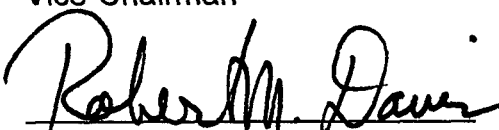
held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 28th day of August, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director